



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND
950 JEFFERSON AVENUE
FORT EUSTIS, VIRGINIA 23604-5700

ATCS-E

29 AUG 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TRADOC Policy Letter 5, Reasonable Accommodation

1. References:

- a. The Rehabilitation Act of 1973, as amended.
- b. The Americans with Disabilities Act (ADA) of 1990 and ADA Amendments Act of 2008.

2. TRADOC fully complies with the reasonable accommodation requirements of the Rehabilitation Act of 1973, as amended. Under the law, Federal agencies must provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship to the employing or hiring organization. I am committed to ensuring all TRADOC employees and applicants for employment have full access to equal employment opportunity. Requests for reasonable accommodations will be processed and provided, where appropriate, in a prompt, fair, and efficient manner.

3. The enclosure outlines procedures for processing requests for reasonable accommodation for individuals with disabilities. I expect TRADOC managers and supervisors to expeditiously process requests for reasonable accommodation made by employees and applicants for employment.

4. This policy letter is effective until superseded or rescinded.

Encl



ROBERT W. CONE
General, U.S. Army
Commanding

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(see next page)

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HQ TRADOC

PROCESSING TRADOC REQUESTS FOR REASONABLE ACCOMMODATION

1. Initiating the Process.

a. It is the responsibility of the employee or applicant to inform the employer that an accommodation is required to perform the essential job functions or to complete the application process. The individual does not have to use specific words such as "reasonable accommodation, disability, or Rehabilitation Act" when making the request.

b. The request may be oral or in writing and may be from the individual or from a person acting on the individual's behalf such as a supervisor, a health professional, or a Family member.

c. Requests for accommodation include making existing facilities accessible, providing a reassignment, job restructuring, leave, a modified or part-time work schedule, and providing qualified readers or interpreters.

d. A request for accommodation may be made at any time.

2. Coordinating the Request.

a. Most requests for accommodation will be handled by the first-line supervisor. This process may include communicating with the requester for clarification; obtaining and exchanging information to the extent necessary regarding needs and alternatives; searching for solutions; consulting EEO, Civilian Personnel Advisory Center (CPAC), servicing agency attorney/labor counselor, and outside agencies; and evaluating possible accommodations.

b. If the supervisor does not have authority to approve the request, the request must be forwarded promptly to the appropriate EEO official (usually the Disability Program Manager (DPM)). The DPM will forward a copy of a significant request (an accommodation cost of more than \$5,000 or affecting the terms or working conditions of employment) to the servicing agency attorney/labor counselor and CPAC as part of the coordination process.

c. Requests for accommodation from applicants will be handled by the personnel management specialist responsible for the recruitment and/or selection action.

d. Requests for adaptive equipment, including information technology, specially designed furniture, communications equipment, or other assistive technology, will be coordinated with the Information Technology Directorate and the DOD Computer/Electronic Accommodation Program (<http://www.tricare.mil/cap>).

End

e. Requests for readers, sign language interpreters, or other staff assistants to enable employees to perform their job functions, where the accommodation cannot be provided by the activity's staff, will be coordinated with CPAC.

f. Requests for removal of architectural barriers, including reconfigured work spaces and requests for accessible parking, will be coordinated with the Directorate of Public Works.

3. Time Limits.

a. The organization will process requests for reasonable accommodation and provide accommodations, where appropriate, as soon as reasonably possible. However, the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information and/or medical documentation.

b. Requests for reasonable accommodation that can be processed and approved by the immediate supervisor, where no medical documentation is required and extenuating circumstances apply, should be granted, modified, or denied within 30 business days from the date of the initial request. Extenuating circumstances can include, but are not limited to, obtaining medical documentation, coordinating with outside organizations or agencies, purchasing and installing equipment, and workplace renovations. Where extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the accommodation will be extended as reasonably necessary.

4. Medical Information.

a. When the disability and/or need for accommodation is not obvious, the employee or applicant seeking accommodation may be asked to provide appropriate medical information related to the functional impairment and/or limitations at issue and the requested accommodation. Medical information will only be requested to the extent reasonably necessary to establish that the requesting individual has a disability that is covered under the Americans with Disabilities Act substantially limiting a major life activity and/or to identify functional limitations. Requested medical documentation will be kept separate from the employee's personnel records.

b. An Authorization for Disclosure of Medical or Dental Information (Department of Defense (DD) Form 2870) will be used to request the use and/or disclosure of an individual's protected health information in order to process the reasonable accommodation request. The applicant or employee should check "OTHER" in Block 7 (Reason for Request) on the form and specify "reasonable accommodation request" in the space provided. Block 8 will include information authorized to be released. Entire medical records may not be requested or furnished, as they may contain information unrelated to whether an applicant or employee can perform essential job functions.

c. Once the medical documentation is provided, the decisionmaker may determine if a reasonable accommodation will be provided and elect to approve the request for reasonable accommodation.

5. Reassignment. Offering a job reassignment is only to be considered if there is no accommodation available to enable the individual to perform the essential functions of the current job, or if the only effective accommodation would cause undue hardship. If reassignment is being considered, the decisionmaker must consult with the servicing CPAC.

6. Denial/Delay of Requested Accommodation.

a. In determining whether a proposed accommodation poses an undue hardship, the overall resources and options available to the Army must be considered, not just the budget or resources of an individual segment, sub-component, or division within the Army.

b. Prior to denying a request for accommodation or a particular accommodation requested, the decisionmaker must consult with the EEO officer, DPM, and the servicing agency attorney/labor counselor.

c. Denials should be immediately communicated to the individual who requested the accommodation. When it is determined that a request for reasonable accommodation will be denied, the individual requesting the accommodation must be notified in writing of the denial. It should be written in plain language, clearly stating the specific reasons for the denial.

d. Denials must also inform the individual that he or she has the right to file an EEO complaint and inform him/her about the availability of the informal dispute resolution process.

e. If a reasonable accommodation cannot be provided immediately, the decisionmaker must inform the individual in writing of the delay and projected timeframe for providing the accommodation.

7. Recordkeeping. The supervisor/official who processed the accommodation request will submit a reasonable accommodation information report to the local DPM (EEO Office) and provide a copy of the report to TRADOC EEO. Information reports will include the type of accommodation requested, processing time for the request, and approval or denial status. TRADOC EEO will include information obtained in the command's Federal Agency Annual EEO Program Status Report.

8. Documents and Forms. Copies of the DD Form 2870 and Reasonable Accommodation Information Report are available on the TRADOC Web site.